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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

JOHN DIAZ AND HOUNG WOFFORD,

COMPLAINANTS,

VS.

MOHAVE ELECTRIC COOPERATIVE, INC.

RESPONDENT.

DOCKET NO. E-01750A-08-0492

PROCEDURAL ORDER

BY THE COMMISSION:

On September 25, 2008, John Diaz and Huong Wofford ("Complainants") filed with the Arizona Corporation Commission ("Commission") a formal complaint ("Complaint") against Mohave Electric Cooperative, Inc. ("MEC" or "Respondent").

The Complaint alleges MEC overcharged Complainants for their July 2008 bill. The Complaint states Complainants received a bill from MEC which showed they owed \$39.82 for the month of July. Complainants allege they tried to pay the bill and were told by a MEC employee that the bill was in error and the correct amount was \$395.12. MEC alleges that prior to the bill being sent out to the Complainants, the company's meter reader collected data from the Complainants residence which showed 229 kWh had been used for the month. MEC alleges due to the abnormally low reading, field personnel were sent to the Complainants' residence and discovered that the meter was not working and a new meter was installed. MEC further alleges that based on its tariff on file with the Commission the Complainants' bill was estimated to be \$395.12 for the month of July.

On October 20, 2008, MEC filed an Answer to the Complaint.

On November 10, 2008, by Procedural Order, a Procedural Conference was scheduled to be held on December 15, 2008.

1 On November 26, 2008, Respondents filed a Motion to Postpone December 15, 2008,
2 Procedural Conference ("Motion"). The Motion stated that Respondent's witness was unavailable for
3 the December 15, 2008, Procedural Conference date and requested that the proceeding be moved to a
4 date on or after December 17, 2008.

5 On December 9, 2008, the Complainants filed a response to the Motion and requested the
6 Procedural Conference be telephonic and reset to January 16, 2009.

7 On December 11, 2008, by Procedural Order, the Procedural Conference was continued to
8 January 22, 2009, and instructions were provided to participate telephonically.

9 On December 22, 2008, MEC filed an Offer of Settlement and Request for Procedural Order.
10 In its filing, MEC offers Complainants a \$81.22 credit towards the disputed July 2008 bill.
11 According to the filing, Complainants estimated bill was \$395.12 and the credit would reduce the
12 amount to \$313.90. MEC's filing states the credit constitutes credit for the 229 kWh reflected on the
13 malfunctioning meter and an additional 32 kWh reflecting usage before the new meter was installed.
14 MEC alleges that Complainants have failed to pay their July, September, and October bills and
15 Complainants are no longer customers of MEC as of October 21, 2008. MEC estimates that the total
16 amount owed to MEC is \$915.38. MEC offered to settle the matter by reducing the July bill to
17 \$313.90, if Complainants agreed to dismiss the Complaint, and pay the outstanding balance owed to
18 MEC of \$915.38 minus the \$81.22 credit for a final balance of \$834.22.

19 On January 13, 2009, the Complainants filed a letter with the Commission stating that they
20 agree to accept MEC's settlement terms and requested that the Complaint against MEC be dismissed.

21 The parties have reached a settlement of the issues and it is reasonable that the Complaint be
22 dismissed.

23 IT IS THEREFORE ORDERED that the above-captioned **Complaint against Mohave**
24 **Electric Cooperative is hereby dismissed.**

25 IT IS FURTHER ORDERED that the **Procedural Conference** scheduled for **January 22,**
26 **2009, at 1:30 p.m., is vacated.**

IT IS FURTHER ORDERED that Complainants John Diaz and Houg Wofford shall remit payment in the amount of \$834.22 to Mohave Electric Cooperative, in accordance with the terms agreed upon by the parties.

IT IS FURTHER ORDERED that Docket Control shall administratively close this docket.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 16th day of January, 2009.


YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 16th day of January, 2009 to:

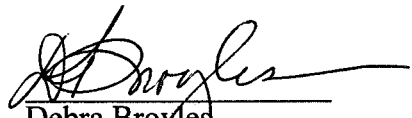
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By: 
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